

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CIVIL TRIAL MINUTES

The Honorable WILLIAM H. ALSUP

Date: April 25, 2012

Case No.: **C10-03561 WHA**

Case Name: **ORACLE AMERICA, INC.** v. **GOOGLE INC.**

Plaintiff's Counsel: Michael Jacobs; Dan Muino; Fred Norton; Andrew Temkin; David Boies; Ken Kuwayti
Steven Holtzman; Dorian Daley; Safra Catz (Corporate Representative)

Defendant's Counsel: Robert Van Nest; Christa Anderson; Dan Purcell; Michael Kwun; Bruce Baber
Renny Hwang; Catherine Lacavera (Corporate Representative)

Clerk: Dawn K. Toland

Court Reporter: Kathy Sullivan; Debra Pas

Trial Began: April 16, 2012

Further Trial: April 26, 2012 at 7:30 am

Trial Motions Heard:

Disposition

- | | | |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

Other:

Time in Trial: 5 hours 45 minutes

NORTHERN DISTRICT OF CALIFORNIA

Case No: **C10-03561 WHA**

Case Name: **ORACLE AMERICA, INC.** v. **GOOGLE INC.**

EXHIBIT and WITNESS LIST

| | | |
|-----------------------------------|---|---|
| JUDGE: WILLIAM H. ALSUP | PLAINTIFF ATTORNEY: Michael Jacobs; Dan Muino Fred Norton; David Boies; Dorian Daley Steven Holtzman; Ken Kuwayti | DEFENSE ATTORNEY: Robert Van Nest; Christa Anderson Dan Purcell; Michael Kwun Bruce Baber |
|-----------------------------------|---|---|

| | | |
|--------------------------------------|--|------------------------------|
| TRIAL DATE: April 25, 2012 | REPORTER(S): Kathy Sullivan; Debra Pas | CLERK: Dawn Toland |
|--------------------------------------|--|------------------------------|

| PLF NO. | DEF NO | DATE OFFERED | ID | REC | DESCRIPTION | BY |
|-------------|-------------|----------------|----------|----------|---|----|
| | | <u>7:30 am</u> | | | <u>Outside the presence of the jury. Court and counsel discussed issues. Defendant submitted deposition clips of witnesses as exhibits: 3450, 3451, 3453, 3454 and 3524. Robert Van Nest advised the Court parties have stipulated to admit the following exhibits: 573, 606, 607, 2040, 2052, 2053, 2054, 2059, 2060, 2061, 2199, 2205, 2259, 2724, 3030, 3494, 3508 and 3520.</u> | |
| | | <u>8:00 am</u> | | | <u>Reconvene...jury present</u> | |
| | | | | | <u>Direct Examination of Andy Rubin by Robert Van Nest</u> | |
| | <u>43.1</u> | | <u>x</u> | <u>x</u> | <u>Cupcake Source Code</u> | |
| | <u>2765</u> | | <u>x</u> | <u>x</u> | <u>Statement of Work providing guidelines for strategy</u> | |
| | <u>1072</u> | | <u>x</u> | <u>x</u> | <u>Accused API Packages and Files in Android</u> | |
| | <u>2352</u> | | <u>x</u> | <u>x</u> | <u>Blog Entry; Dates: November 5, 2007</u> | |
| | <u>3521</u> | | <u>x</u> | <u>x</u> | <u>Email from Andy Rubin</u> | |
| | | <u>9:05 am</u> | | | <u>Cross Examination by David Boies</u> | |
| <u>1048</u> | | | <u>x</u> | <u>x</u> | <u>Sun concerned Google's Android will fracture Java</u> | |
| <u>565</u> | | | <u>x</u> | | <u>Email from Lino PersitoLeo Cizek re Google's Mobility Push</u> | |
| <u>531</u> | | | <u>x</u> | | <u>Email from Leo Cizek to Vineet Gupta and Tom Harris</u> | |
| | | <u>9:20 am</u> | | | <u>Recess</u> | |
| | | <u>9:39 am</u> | | | <u>Reconvene...jury present</u> | |
| | | | | | <u>Court read a jury note</u> | |
| | | | | | <u>Cross Examination continued</u> | |
| <u>29</u> | | | <u>x</u> | <u>x</u> | <u>Email from Andy Rubin to Dick Wall</u> | |

| | | | | | |
|--------------|-------------|-----------------|----------|----------|---|
| <u>1072</u> | | | <u>x</u> | <u>x</u> | <u>Accused API Packages and Files in Android</u> |
| <u>405</u> | | | <u>x</u> | <u>x</u> | <u>Email from Eric Schmidt to Bob Lee re It was great chatting with you yesterday</u> |
| <u>431</u> | | | <u>x</u> | <u>x</u> | <u>Email from Cathay Bi to Alan Eagle re BOD question</u> |
| | | <u>10:10 am</u> | | | <u>Redirect Examination</u> |
| | <u>29</u> | | <u>x</u> | <u>x</u> | <u>Email from Andy Rubin to Dick Wall</u> |
| | | <u>10:19 am</u> | | | <u>Recross</u> |
| <u>7</u> | | | <u>x</u> | <u>x</u> | <u>Email fro Tracey Cole to Andy Rubin</u> |
| | | <u>10:25 am</u> | | | <u>Redirect</u> |
| | | <u>10:25 am</u> | | | <u>Re Recross</u> |
| | | <u>10:26 am</u> | | | <u>Witness Excused</u> |
| | | | | | <u>Defendant's witness Dan Bornstein sworn-in. Direct by Christa Anderson</u> |
| | <u>4027</u> | | <u>x</u> | <u>x</u> | <u>Programming Specification</u> |
| | | <u>10:38 am</u> | | | <u>Court Exam</u> |
| | | <u>10:40 am</u> | | | <u>Continued</u> |
| | <u>43.1</u> | | <u>x</u> | <u>x</u> | <u>Cupcake Source Code</u> |
| | <u>2765</u> | | <u>x</u> | <u>x</u> | <u>Statement of Work providing guidelines for strategy</u> |
| | | <u>11:26 am</u> | | | <u>Recess</u> |
| | | <u>11:45 am</u> | | | <u>Reconvene...jury present</u> |
| | | | | | <u>Direct of Dan Bornstein continued</u> |
| | <u>1072</u> | | <u>x</u> | <u>x</u> | <u>Accused API Packages and Files in Android</u> |
| | <u>3525</u> | | <u>x</u> | <u>x</u> | <u>Demonstrative Chart drawn by Dan Bornstein</u> |
| | <u>272</u> | | <u>x</u> | <u>x</u> | <u>Email from hr-help@google.com to Dan Bornstein</u> |
| | <u>2352</u> | | <u>x</u> | <u>x</u> | <u>Blog Entry Dates November 5, 2007</u> |
| | <u>3470</u> | | <u>x</u> | | <u>Email Dated: November 6, 2007 from Bob Lee to David Turner</u> |
| | | <u>12:13 pm</u> | | | <u>Cross Examination by Michael Jacobs</u> |
| <u>1072</u> | | | <u>x</u> | <u>x</u> | <u>Accused API Packages and Files in Android</u> |
| <u>610.2</u> | | | <u>x</u> | <u>x</u> | <u>Java 2 Platform Standard Edition 5.0 API Specification</u> |
| <u>270</u> | | | <u>x</u> | <u>x</u> | <u>Email from Dan Bornstein to titzer@google.co re Dalvik IP issues</u> |
| <u>359</u> | | | <u>x</u> | <u>x</u> | <u>Chat log between Dan Bornstein and Jesse Wilson</u> |
| | | <u>12:44 pm</u> | | | <u>Redirect Examination</u> |

